



Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.
P-2419
Public Notice Date
June 2, 2004

Expiration Date
June 23, 2004

Postmaster Please Post Conspicuously Until:

File Number: 200402140

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: All comments and/or requests for public hearing must reach this office no later than the expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Mr. Rob Gramke

APPLICANT: Truman Partners Attn: Mr. Dennis Orne, 423 Jackson Street, St. Charles, Missouri 63301.

AGENT: SCI Engineering, Inc., Attn: Ms. Laurie Farmer, 1602 Jeffco Boulevard, Arnold, Missouri 63010.

LOCATION: The project site is located on the southern side of West Old Highway 40 (an I-70 frontage road) and lies on the western side of Market Street. More specifically, the site is located in the Southwest $\frac{1}{4}$ of Section 21, Township 47 North, Range 2 West, City of Warrenton, Warren County, Missouri.

PROJECT DESCRIPTION: Applicant seeks authorization to conduct grading in conjunction with the development of a 22-acre site for commercial and residential use. The proposed development will include an eight screen movie theater that is surrounded by commercial businesses, associated parking lots, and an on-site detention basin. Nine multi-family residential units are proposed in the southern most portion of the site. The jurisdictional waters on the site, labeled on the attached map, consist of Big Creek, an unnamed tributary (denoted as Tributary A) to Big Creek, an emergent wetland (denoted as Wetland A), and a forested wetland (denoted as Wetland B). Big Creek flows along the western site boundary for 2,050 lineal feet, while Tributary A bisects the site for 960 lineal

feet. Wetland A is approximately 0.11-acre and Wetland B is approximately 0.36-acre and both wetlands are located adjacent to Big Creek.

The applicant proposes to pipe Tributary A for approximately 880 lineal feet to support commercial development along the I-70 frontage Road, conduct site grading in Wetland A for the construction of a detention basin, and install a stormwater outfall structure below the ordinary high water mark of Big Creek to convey overflow from the detention basin. Total permanent impacts to waters of the United States are 900 lineal feet. Total wetland impacts for the project are 0.11 acre.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Rob Gramke, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8187. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to robert.gramke@mvs02.usace.army.mil.

AUTHORITY: This permit will be issued or denied under the following: Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Pollution Control Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Pollution Control Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION OF PROBABLE IMPACTS: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described

activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

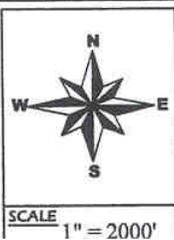
Solicitation of Comments From The Public: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



PROJECT NAME WARRENTON - CINEMA 8 WARRENTON, MISSOURI
VICINITY MAP
JOB NUMBER 2004-02140

DATE APRIL 2004
DRAWN BY LAP
CHECKED BY LMF
FIGURE 1

General Notes/Legend
 USGS TOPOGRAPHIC MAP
 WARRENTON, MISSOURI QUADRANGLE
 DATED 1982
 PHOTO REVISED 1985
 20' CONTOURS

Sheet 1 of 2
 P-2419
 Vicinity Map
 File #2004-02140





CONSTRUCTION
 GEOTECHNICAL
 ENVIRONMENTAL
 NATURAL RESOURCES
 CULTURAL RESOURCES

General Notes/Legend

Sheet 2 of 2
 Project Plan Map
 P-2419
 File #2004-02110

PROJECT NAME
 WARRENTON - CINEMA 8
 WARRENTON, MISSOURI

PUBLIC NOTICE



SCALE
 1" = 200'

JOB NUMBER
 2004-2026.3

DATE
 MAY 2004

DRAWN BY
 LAP

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 LMF

FIGURE
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